

MORRISON | FOERSTER



1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VIRGINIA 22102
TELEPHONE: 703.760.7700
FACSIMILE: 703.760.7777
WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY
TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

May 22, 2006

Writer's Direct Contact

703.760.7743 -
BBretschneider@mofo.com

Dr. E. John L. Hughes
Davies Collison Cave
1 Nicholson Street
Melbourne, Victoria 3000
Australia

Re: U.S. Serial No. 10/067,832
Paul Z. ZIMMET et al.
Your Reference: 2490468/EJH/HPM/GC
Our Reference: 22975-20007.01

Dear John:

Thank you for your letter of May 12, 2006, transmitting the references cited in the International Search Report and Partial European Search Report. Please find enclosed a copy of the Supplemental Information Disclosure Statement prepared and filed on May 22, 2006, with the U.S. Patent and Trademark Office.

With best regards,

Very truly yours,


Barry E. Bretschneider

BEB/ct
Enclosure



IFW 1647

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/067,832
	Filing Date	June 3, 2002
	First Named Inventor	Paul Z. ZIMMET
	Art Unit	1647
	Examiner Name	J. Seharaseyon
Total Number of Pages in This Submission	Attorney Docket Number	229752000701

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return receipt postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Copies of references (10)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Barry E. Bretschneider		
Date	May 22, 2006	Reg. No.	28,055



Under the Patent Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/067,832
TOTAL AMOUNT OF PAYMENT		Filing Date	June 3, 2002
(\$) 180.00		First Named Inventor	Paul Z. ZIMMET
		Examiner Name	J. Seharaseyon
		Art Unit	1647
		Attorney Docket No.	229752000701

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>03-1952</u> Deposit Account Name: <u>Morrison & Foerster LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
2. EXCESS CLAIM FEES							
							Small Entity
							Fee (\$)
Fee Description							Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
Total Claims							
Extra Claims							
Fee (\$)							
Fee Paid (\$)							
Multiple Dependent Claims							
Fee (\$)							
Fee Paid (\$)							
Indep. Claims							
Extra Claims							
Fee (\$)							
Fee Paid (\$)							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)
_____ - 100 = _____		/50		_____ (round up to a whole number) x _____		= _____	
4. OTHER FEE(S)							Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement							180.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	28,055
Name (Print/Type)	Barry E. Bretschneider	Telephone	(703) 760-7743
		Date	May 22, 2006



Patent
Docket No. 229752000701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Paul Z. ZIMMET et al.

Serial No.: 10/067,832

Filing Date: June 3, 2002

For: NOVEL GENE AND USES THEREFOR

Examiner: J. Seharaseyon

Group Art Unit: 1647

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. The Examiner is requested to make these documents of record.

Document Nos. 2-4 listed on the attached Form PTO/SB/08a/b were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/331,930, filed June 30, 1999, now U.S. Patent No. 6,436,670 issued August 20, 2002, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

Document Nos. 1, 5-13 listed on the attached Form PTO/SB/08a/b were cited in the International Search Report and Partial European Search Report (copies attached) directed to a counterpart international and foreign application. Copies of these documents are submitted herewith.

va-163580

05/24/2006 HALI11 00000087 031952 10067832
01 FC:1806 180.00 DA

This Supplemental Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

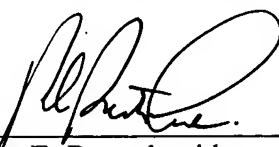
Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **(229752000701)**.

Dated: May 22, 2006

Respectfully submitted,

By 
Barry E. Bretschneider
Registration No.: 28,055
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7743



ALTERNATIVE TO PTO/SB/08a/b (07-05)

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/067,832		
		Filing Date	June 3, 2002		
		First Named Inventor	Paul Z. ZIMMET		
		Art Unit	1647		
		Examiner Name	J. Seharaseyon		
Sheet	1	of	1	Attorney Docket Number	229752000701

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	1.	WO-00/64931	11-2-2000			

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	2.	PAULEY, A. et al. GenBank Nucleotide Sequence Accession No. T25763, Hypothetical Protein F46F11.4 <i>Caenorhabditis elegans</i> , 1997	
	3.	MARRA, M. et al. GenBank Nucleotide Sequence Accession No. AA241830, The WashU_HHMI Mouse EST Project, 1997	
	4.	WILDING, J. et al. (1993) "Increased Neuropeptide-Y Messenger Ribonucleic Acid (mRNA) and Decreased Neurotensin mRNA in the Hypothalamus of the Obese (ob/ob) Mouse," <i>Endocrinology</i> 122(5), pp. 1939-1944	
	5.	BRAY, George A. (1992) "Peptides Affect the Intake of Specific Nutrients and the Sympathetic Nervous System," <i>Am. J. Clin. Nutr.</i> 55; pp. 265-271	
	6.	FRANKISH, Helen M. et al. (1994) "Neuropeptide Y, the Hypothalamus, and Diabetes: Insights Into the Central Control of Metabolism," <i>Peptides</i> 16(4); pp. 757-771	
	7.	MARRA, M. et al. (1997) "va83b12.r1 Soares Mouse NML Mus Musculus cDNA clone Image: 7379515", mRNA Sequence," retrieved from EBI Database Accession No. AA271476, abstract	
	8.	CALLIS, J. et al. (1995) "Arabidopsis Thaliana Polyubiquitin (ubq8) Gene, Complete Cds," retrieved from EBI Database Accession No. L05917, abstract	
	9.	NCI-CGAP, (1997) "ni19g09.s1 NCI_CGAP_Co4 Homosapiens cDNA clone Image: 968512 3', mRNA Sequence," retrieved from EBI Database Accession No. AA527091, abstract	
	10.	COLLIER, Greg R. et al. (2000) "A Novel Gene Involved in the Regulation of Energy Balance," <i>Diabetes</i> 49, pp. 1766-1771	
	11.	WALDER, K. et al. (2003) "Obesity and Diabetes Gene Discovery Approaches," <i>Current Pharmaceutical Design</i> 9(17), pp. 1357-1372	
	12.	COLLIER, G. et al. (2002) "New Approaches to Gene Discovery with Animal Models of Obesity and Diabetes," <i>Annals of the New York Academy of Sciences</i> 967, pp. 403-413	
	13.	WALDER, K et al. (2001) "Effects of Beacon Administration on Energy Expenditure and Substrate Utilisation in Psammomys obesus (Israeli sand rats)," <i>International Journal of Obesity</i> 25, pp. 1281-1285	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

va- 163565